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PATENT
02P20262US01

REMARKS

Claims 1 – 30 are currently pending in this application with claims 1, 2, 4, 8, 17, 21, 22, 28 and 30 being amended by this response.

Rejection under 35 USC 112, second paragraph

Claims 1 – 16, 22 – 25 and 28 – 30 are rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been formally amended in accordance with the Examiner's suggestion to correct a typographical error by inserting the term "cumulative" in line 16 of claim 1.

Claim 2 has been amended in accordance with the Examiner's suggestion to recite "said message processor receives second message data identifying medical insurance reimbursement income amounts". Claims 8, 28 and 30 have been similarly amended.

Claim 17 has been formally amended for purposes of clarity to recite "first message data" and "second message data". Additionally, claims 21 and 22 were formally amended for purposes of clarity to more clearly state and particularly point out the subject matter of claimed therein. Specifically, claim 21 was amended to recite "said first message data" and claim 22 was amended to recite "said received second message data".

Additionally, claims 8 and 22 are amended to delete the phrase "said patient identifier identifying one of a plurality of patients provided said associated medical reimbursement income amount".

As the above described amendments are formal in nature, Applicant respectfully submits that no new matter has been added to the application. Therefore, in view of the above remarks and amendments to the claims, Applicant respectfully submits that this rejection has been satisfied and should be withdrawn.

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02P20262US01**Rejection under 35 USC 102(e)**

Claims 1, 3, 5 - 7, 9 - 15 and 26 - 27 are rejected under 35 USC 102(e) as being anticipated by Millary et al.

In accordance with MPEP Section 715 and 37 CFR 1.131, Applicant respectfully submits the attached Declaration antedating the Millary et al. reference. Applicant respectfully submits that the present claimed invention was invented prior to the effective 35 USC 102(e) filing date of Millary et al. under of November 22, 2002. The Declaration sets forth that the present claimed invention was submitted in a signed and witnessed "Invention Disclosure Memorandum" on November 18, 2002. Exhibits A and B attached to the Declaration are true copies of the "Invention Disclosure Memorandum" dated November 18, 2002 (Exhibit A) along with the attached five (5) pages noted in paragraph 8 on page 2 of Exhibit A of Invention Disclosure (Exhibit B) which sets for the specific details of the present claimed invention.

Additionally, further evidence of the Applicants prior conception and reduction to practice can be found in Points 5 and 6 of the attached Declaration. Applicant began her employment at Siemens Medical Solutions, Inc in February 1997 and disclosed the present claimed invention on or around February 1998 to Morgan Pape, another employee of Siemens Medical Solutions. This supplemental disclosure in February 1998 is further supported in the highlighted section of Point 7 of Exhibit A.

In view of the above remarks, the attached Declaration under 37 CFR 1.131 and accompanying Exhibits, Applicant respectfully submits that the present claimed invention was invented prior to November 22, 2002. Therefore, Applicant respectfully submits that the present claimed invention antedates Millary et al. and thus does not qualify as a reference under 35 USC 102(e). Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Rejection under 35 USC 103(a)

Claims 2, 4, 8 16, 17 - 25 and 28 - 30 are rejected under 35 USC 103(a) as being unpatentable over Millary et al. in view of Barber et al.

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As discussed hereinabove with respect to the rejection under 35 USC 102(e), Applicant respectfully submits that in view of the attached Declaration under 37 CFR 1.131, the present claimed invention antedates Millary et al. and thus, disqualifies the use of Millary et al. as prior art under either 35 USC 102 and 35 USC 103.

Barber et al. discloses a medical payment system that is provided in a physicians office and facilitates physician reimbursements as well as the processing of medical insurance claims. Barber et al. is concerned with providing information about services to a central system so that the central system is able to contact third-party vendors in order to satisfy any obligations resulting from the services, i.e. insurance reimbursement. Thus, Barber et al. discloses a system that is transaction specific. Barber et al. neither discloses nor suggests "a message processor for receiving message data including a first income amount total value, representing cash income received during a first time period" as in the present claimed invention. While Barber et al. does disclose providing monthly statements to either a physician or patient, the information used in producing the statement based entirely on an entered transaction at a remote terminal connected to the central processing unit. This is unlike the present claimed invention which is concerned with "cash income received during a first time period".

Additionally, the Office Action states that Barber et al. disclose "receiving compensation for medical services provided represents receiving message data including second income amount value representing medical insurance reimbursement income amounts and an associated patient identifier". Applicant respectfully disagrees. Specifically, while Barber et al. receives data from a plurality of sources, the data received thereby is not equivalent to "message data including a first income amount total representing cash income received during a first time period" and "second message data identifying medical insurance reimbursement income amounts" as in the present claimed invention. Barber et al. receives patient payment information from the patient based on services rendered to the patient and also receives information regarding reimbursement information from insurance companies wherein the reimbursement is directly related the services provided to the patient. Thus, this data is based entirely on a single transaction. The patient payment information in Barber et al is not analogous to "message data including first income amount total value" of the present invention. Additionally, the "message data" in Barber et al. is transaction specific and unlike the present claimed invention wherein the "message data" is time period specific. As the data in Barber et al. is directly

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related to the patient it cannot be related to "one of a plurality of departments internal to said hospital".

Applicant respectfully submits that there no motivation to modify Barber et al. to produce the present claimed invention because Barber et al. is concerned with transactional information derived from patient services and neither discloses nor suggests "a first income amount total value, representing income received during a first time period, an associated first income source identifying one of a plurality of departments internal to said hospital providing said associated first income amount total value" as in the present claimed invention.

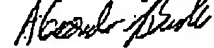
Additionally, in view of the attached Declaration under 37 CFR 1.131 swearing behind Millary et al., Applicant respectfully submits that the rejection under Millary et al. in view of Barber et al. is moot and should be withdrawn.

In view of the above remarks, applicant respectfully submits that Barber et al. provides no 35 USC 112 compliant enabling disclosure that renders the present invention as claimed in claims 1, 15, 17 and 26 unpatentable. As claims 2, 4 and 8 are dependent on claim 1, claim 16 is dependent on claim 15, claims 18 – 25 are dependent on claim 17 and claims 28 – 30 are dependent on claim 26, Applicant respectfully submits that these claims are patentable for the same reasons as discussed above regarding claims 1, 15, 17 and 26. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

In view of the above amendments and remarks, Applicants submit that the Application is in condition for allowance, and favorable reconsideration is requested.

No fee is believed due with this response. However, please charge any fee associated with this Amendment to deposit account 19-2179.

Respectfully submitted,

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